REMARKS

Reconsideration of this application as amended is respectfully requested.

Claims 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,677,617 of O'Connor et al. ("O'Connor") and alleged knowledge in the art.

Claims 13, 15, and 28 stand objected to because of informalities.

Claims 1, 4, 6, 9-12, 19, 21, 23-52, and 55-59 have been allowed. Claims 16-18 stand objected to as being dependent upon a rejected base claim, but the Examiner has indicated that claims 16-18 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 15 has been canceled. Claims 13, 16, and 28 have been amended. New claim 60 has been added. It is respectfully submitted that the new claim and the amendments do not add new matter.

The Examiner has objected to claims 13, 15, and 28 because of informalities. Applicants have amended claim 13 to delete the word "form." Applicants have canceled claim 15. Applicants have amended claim 28 so that it now depends from 26. Applicants accordingly submit that the objections to claims 13, 15, and 28 have been overcome.

Claim 16 has been amended to depend from amended claim 13 rather than from canceled claim 15. Claim 16 has been further amended to conform with the amendment of claim 13 and to better define the invention.

The Examiner has rejected claims 13 and 15 under 35 U.S.C. § 103(a) as being unpatentable over O'Connor and alleged knowledge in the art. The Examiner has stated the following:

> Regarding claim 13, O'Conner discloses a method comprising receiving at a first node of a network an indication of time within the network according to a second node (Figure 1; abstract, lines 1-6; col. 2, lines 61-64) and determining whether to adjust the time if the indication of time received is older or younger than the time at the first node (col. 2, line 68 through col. 3, line 2). However, O'Conner does not disclose that the network is a computer network. One skilled in the art would recognize that wireless networks typically accommodate the transmission of computer data or accommodate computers as nodes within the wireless network. Therefore, it would have been obvious to one skilled in the art at the time the invention was made for the wireless network of O'Conner to be a computer network as a matter of design choice.

(4/24/02 Office Action pp. 2-3) The Examiner has further stated:

> Regarding claim 15, the indication of time received is augmented for delays before determining whether to adjust the time at the first node (col. 2, line 64 through col. 3, line 2).

(4/24/02) Office Action p. 3).

Claim 15 has been canceled.

Applicants respectfully submit, however, that amended claim 13 is not obvious under 35 U.S.C. § 103(a) in view of O'Connor and alleged knowledge in the art. Amended claim 13 includes the following limitations:

> using information contained in the packet from the second node in determining whether or not to adjust a time at the first node according to whether a priority of

the second node is lesser or greater than a priority of the first node;

adjusting the time at the first node only if the priority of the second node is greater than the priority of the first node; and

not adjusting the time at the first node if the priority of the second node is less than or equal to the priority of the first node.

(Amended Claim 13).

In contrast, O'Connor does not disclose determining whether or not to adjust a time at the first node according to whether a priority of the second node is lesser or greater than a priority of the first node. Moreover, O'Connor does not disclose not adjusting the time at the first node if the priority of the second node is less than or equal to the priority of the first node.

O'Connor includes a disclosure of the following:

> Immediately following the sequences of synchronization messages, the NTU transmits network time messages at two additional frequencies F_{t1}, F_{t2}. The first message at frequency F_{t1} comprises the correlation word to be correlated by the RTU as in the prior synchronization messages. The first message also contains chronization messages. The first message also contains the information that the frequency F_{t1} is defied by the synchronization code for the present interval of the network time. The second message at frequency F_{t2} (defined by the same synchronization code word) comprises data defining the value of M to which the RTU subinterval timer is to be set to synchronize to the network time. The contents of the first and network time messages is illustrated in respective FIGS. 5c and 5d.
>
> Because the synchronization message which was received and correlated by the RTU included a protocol word with the information described above, the RTU is provided with sufficient information to predict the time and frequency F_{t1}, at which the first network message will be transmitted. The RTU

decodes the protocol word to predict the time and frequency at which the network time transmission will be broadcast and then receives this transmission.

Upon receipt of the information transmitted on the frequencies F_{t1}, and F_{t2}, the RTU adjusts its time to the present interval of the NTU and to the appropriate value of M defining the present subinterval of he network time. Typically the transmitted value of M is referenced to some future subinterval a predetermined time later to provide the RTU with time to process the information and update its time. For example, the value transmitted for M may be 600, but the RTU sets its M timer to 700 to account for the processing time delay between the time at which the NTU M timer is read and the time the RTU M timer is updated. This processing will be readily apparent to those skilled in the art. The RTU is then synchronized with the network time and may communicate with other synchronized units comprising the network.

(O'Connor Col. 7, lines 7-45) (emphasis added).

O'Connor also discloses an example of an RTU requesting entry into the network. O'Connor states that

The NTU waits the appropriate time (T_w) and then responds with two network messages which are received by the RTU. The transmit frequency F_{t1}, is established by the RTU transmission. This first message is a digital word with 80 bits of information, 64 bits for the time correlation word, and 16 bits used to identify the proper protocol word, i.e. for the past present or future time interval. These 16 bits inform the RTU whether to advance, retard, or maintain its current time interval state.

The second network time message is at frequency F_a as determined by the code C_j for the present network time interval. The second message is also an 80 bit word, defining the value of M, thus providing the RTU with the correct subinterval time. The RTU decodes this data and updates its clock, thus establishing itself into network synchronization.

> In this example, the technique has allowed a RTU to change its clock accuracy from plus or minus one second to plus or minus one microsecond with a synchronization during of only 140 milliseconds. While this example illustrated the demand modes, the RTU could also receive the same information by the broadcast or passive methods described above.

(O'Connor Col. 16, lines 3-26) (emphasis added).

Thus, it is respectfully submitted that O'Connor does not disclose the limitations of claim 13 regarding how time is adjusted by the first node. O'Connor does not disclose determining whether or not to adjust a time at the first node according to whether a priority of the second node is lesser or greater than a priority of the first node. Moreover, O'Connor does not disclose adjusting the time at the first node only if the priority of the second node is greater than the priority of the first node. Furthermore, O'Connor does not disclose not adjusting the time at the first node if the priority of the second node is less than or equal to the priority of the first node.

Moreover, the alleged knowledge in the art regarding a computer network relied upon by the Examiner does not make up for the deficiencies of O'Connor.

Therefore, applicants respectfully submit that amended claim 13 is not invalid under 35 USC § 103(a) in view of O'Conner and the alleged knowledge in the art.

Given that amended claim 16 and new claim 60 depend directly or indirectly from amended claim 13 and add further limitations, applicants respectfully submit that amended claim 16 and new claim 60 are allowable over O'Conner and the alleged knowledge in the art.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome.

If there are any additional charges not covered by any checks submitted, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Claim 15 has been canceled.

New claim 60 has been added.

Claims 13, 16, and 28 have been amended as follows:

13. (Twice Amended) A method comprising:

receiving, at a first node of a computer network, a packet from [an indication of time within the computer network according to] a second node of the computer network;

using information contained in the packet from the second node in determining whether or not to adjust [the] a time at the first node according to whether [the indication of time received form] a priority of the second node is [younger] lesser or [older] greater than [the time at] a priority of the first node; [and]

adjusting the time at the first node only if the [indication of time received from] a priority of the second node is [older] greater than the [time at] the first node; and

not adjusting the time at the first node if the priority of the second node is less than or equal to the priority of the first node.

16. (Amended) The method of claim [15] 13 wherein the information contained in the packet from the second node includes an indication of time within the computer network according to the second node, wherein if both the first and second nodes are not locked, then the priority of the second node is greater then the priority of the first node. if the indication of time [received from] of the second

node is greater than [differs] from the time at the first node [by more than a predetermined threshold amount, the first node determines whether the first node or the second node has priority over the other and adjusts the time at the first node only if the second node has priority].

28. (Amended) The method of claim [20] 26 further comprising computing, at the first node, transmission times for other nodes of the computer network.